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JAN 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |               |                   |                        |
|----------------------|---------------|-------------------|------------------------|
| Serial No.:          | BRUCE et al.  | Examiner:         | Charioui, M.           |
| Filed:               | 09/586,518    | Group Art Unit:   | 2857                   |
| Allowed:             | June 2, 2000  | Docket No.:       | AMDA.455PA<br>(TT3843) |
| Title:               | June 25, 2004 | Confirmation No.: | 5747                   |
| RESISTIVITY ANALYSIS |               |                   |                        |

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 10, 2005.

By:

Kelly J. Ledin

**Petition Under 37 C.F.R. § 1.181 (MPEP § 711.03(c))**  
**To Withdraw Holding Of Abandonment**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests withdrawal of the holding of abandonment in patent application serial no. 09/586,518. Though no fees should be incurred in view of the following evidence and facts which support this request, authorization is given to charge/credit Deposit Account 50-0996 (AMDA.455PA) as required for entry of this Petition.

Applicant has recently received a Notice of Abandonment dated December 6, 2004 (Exhibit A). Applicant's representative (the undersigned) has carefully reviewed the aforementioned communication, and must respectfully conclude that it was issued in error, based on the points of contention which are resolved as follows:

**FACTS & BACKGROUND**

- 1) The Notice of Abandonment alleges that no corrected drawings have been received by the U.S. Patent & Trademark Office.

2) A replacement drawing sheet for Figure 1 was sent by U.S. mail, with executed certificate of transmission under 37 CFR § 1.8 to the U.S. Patent and Trademark Office on February 7, 2003. A true and accurate copy of the original filing is attached as Exhibit B; and is further attested to in the "Statement by Erin M. Nichols," which concludes this submission.

3) A Final Office Action from the U.S. Patent and Trademark Office dated May 6, 2003 indicates that the proposed drawing of Figure 1 was accepted by the Examiner. A true and accurate copy of the original Final Office Action is attached as Exhibit C.

4) A Submission of Formal Drawings, including changes made on the replacement drawing sheet for Figure 1 submitted February 7, 2003, was sent by U.S. mail, with executed certificate of transmission under 37 CFR § 1.8 to the U.S. Patent and Trademark Office on September 21, 2004. The formal drawings were submitted in connection with paying the Issue Fee on September 21, 2004. A true and accurate copy of the original filing is attached as Exhibit D; and is further attested to in the "Statement by Rennae Johnson," which concludes this submission.

A postcard is submitted with this Petition filing, for our additional records.

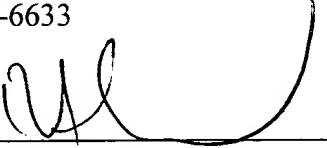
It is believed that this petition is also timely presented under the Rules since Applicant is responding immediately after becoming aware that the case had been characterized as abandoned. In view of the above, Applicant respectfully requests that the holding of abandonment in patent application serial number 09/586,518 be withdrawn, and that the attached replacement drawing of Figure 1 be considered as timely filed on February 7, 2003.

Please contact the undersigned attorney of record directly, should additional information or discussion lead to a resolution of this matter.

Respectfully submitted,

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651-686-6633

By: \_\_\_\_\_

  
Robert. J. Crawford  
Reg. No.: 32,122

Date: January 5, 2005